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Details

File #: 2021-515

Type: Consent Calendar Item

Body: [City Council](#)

On agenda: 1/19/2021

Title: Recommendation to Authorize the City Manager to Execute a Third Amendment to the Agreement with NBS for Administrative Services for Special Financing Districts in an Amount Not to Exceed \$80,319 for an Aggregate Amount Not to Exceed \$146,158. (Public Works 279)

Attachments: 1. [Exhibit 1 - Original Contract](#), 2. [Exhibit 2 - First Amendment](#), 3. [Exhibit 3 - Second Amendment](#), 4. [Exhibit 4 - Third Amendment](#)

Text

Title

Recommendation to Authorize the City Manager to Execute a Third Amendment to the Agreement with NBS for Administrative Services for Special Financing Districts in an Amount Not to Exceed \$80,319 for an Aggregate Amount Not to Exceed \$146,158. (Public Works 279)

Body

To: Honorable Mayor and Members of the City Council

### EXECUTIVE SUMMARY

In 2017, the City of Alameda (City) awarded a contract to NBS for administrative services related to the City's special financing districts. The City has several types of these special districts: the Marina Cove Maintenance Assessment Districts (MAD), the Island City Landscape & Lighting District (LLAD), and several non-bonded Community Facilities Districts (CFDs). The scope of work for the NBS contract includes preparation and presentation of the Engineer's Reports for MAD and LLAD, and submittal of the property owner levy for the special districts. At this time, a third amendment to the 2017 agreement is needed to continue these services.

### BACKGROUND

Special assessment districts are a funding mechanism under the California Streets and Highway Code that fund improvements such as landscape and maintenance. Special benefit districts are additional funding mechanism that provide local governments with flexible funding alternatives. The City has three types of special districts: Non-bonded Maintenance Assessment Districts (MADs), Island City Landscape and Lighting District (LLADs) which are special assessment and Community Facilities Districts (CFDs) which are special tax districts.

Over the past years, and via various professional service contracts, NBS has provided the City with administrative and levy collection support for the City's special financing districts. On December 11, 2017, the City entered into contract with NBS in the amount of \$25,292 for administrative services for the City's special districts, which include MAD 01-01, LLAD 84-2 and the City's non-bonded Community Facilities Districts (CFD 03-01/Bayport Municipal Services district, CFD 13-2/Alameda Landing Municipal Services District, CFD 14-1/Marina Cove II, and CFD 17-1/Alameda Point Municipal Services District). The services NBS has provided include preparation of the required Engineer's Reports for MAD and LLAD, and the levy submittal to the County of Alameda to place assessments and special taxes on the property tax rolls. As the City has continued to form new districts, most recently CFD 14-1 and CFD 17-1, the scope for these administrative services has increased due to the total number of special financing districts.

The City continues to contract with NBS given NBS's historical knowledge and satisfactory completion of the scope of work. On March 1, 2018, a First Amendment was authorized in the amount of \$6,500. On January 14, 2020, a Second Amendment was authorized in the amount of \$34,046.

### DISCUSSION

Staff now seeks the City Council's approval for a third amendment for a two-year final term in the amount of \$80,319 to continue work including preparation of future Engineer's Reports and submittal of the levy. By law the City must prepare Engineers Reports for MAD and LLAD. This amendment brings the total five-year agreement expenditure to a not to exceed \$146,158. The third amendment is attached as Exhibit 3.

### ALTERNATIVES

- Award the agreement as presented.
- The City could choose not to award the amendment and direct staff to explore other alternatives. This could result in levy collection delays for fiscal year 2021-22 and other work.

### FINANCIAL IMPACT

Funds for this project are budgeted in the Public Works Department's account for Special Tax District Administration (Fund 279). As of December 24, 2020, Fund 279 has available expenditure budget for consulting services in FY 2020-21 of \$31,408. Since the compensation agreement for the Third Amendment exceeds the available budget of \$31,408 in FY 2020-21, the remaining potential compensation will be subject to future City Council appropriations approval.

There is no impact to the General Fund.

Contract	Amount	Expended to Date
Original Contract	\$ 25,292	\$25,291
First Amendment	\$ 6,500	\$15,972
Second Amendment	\$ 34,046	\$33,683
Third Amendment (for 2 years)	\$ 80,319	\$
<b>Total</b>	<b>\$146,158</b>	<b>\$74,946</b>

MUNICIPAL CODE/POLICY DOCUMENT CROSS REFERENCE

This action does not affect the Alameda Municipal Code.

ENVIRONMENTAL REVIEW

In accordance with California Environmental Quality Act (CEQA), this project is categorically exempt pursuant to CEQA Guidelines Section 15308, Actions by Regulatory Agencies for Protection of the Environment.

CLIMATE IMPACTS

There are no identifiable climate impacts or climate action opportunities associated with the subject of this report.

RECOMMENDATION

Authorize the City Manager to execute a Third Amendment to the Agreement with NBS for administrative services for the Maintenance Assessment District, Landscape & Lighting Assessment District and the non-bonded Community Facilities Districts, in an amount not to exceed \$80,319, for an aggregate amount not to exceed \$146,158.

CITY MANAGER RECOMMENDATION

The City Manager recommends approval.

Respectfully submitted,  
Erin Smith, Public Works Director

By,  
Amanda Eberhart, Management Analyst

Financial Impact section reviewed,  
Annie To, Finance Director

Exhibits:

1. Original Agreement
2. First Amendment
3. Second Amendment
4. Third Amendment

cc: Eric Levitt, City Manager